

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 17, 2006 ("Office Action"). Applicants appreciate the Examiner's consideration of the Application. Claims 1-41 are pending, and Claims 1, 8, 9, 15, 33, and 39-41 have been amended. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejects under 35 U.S.C. § 103(a): Claims 1-5, 8-12, 15-20, 23, 25, 33-36, 39, 40, and 41 as being unpatentable over U.S. Patent Application Pub. No. 2002/0114293 to Madour et al. ("*Madour I*") in view of U.S. Patent Application Pub. No. 2003/0099219 to Abrol et al. ("*Abrol*"); Claims 6, 7, 13, 14, 21, 22, 26-32, 37, and 38 as being unpatentable over *Madour I* in view of *Abrol* and further in view of U.S. Patent No. 6,876,640 to Bertrand et al. ("*Bertrand*"); and Claim 24 as being unpatentable over *Madour I* in view of *Abrol* and further in view of U.S. Patent No. 6,834,050 to Madour et al. ("*Madour II*"). Applicants respectfully traverse these rejections for the reasons discussed below.

Applicants respectfully submit that the combinations proposed by the Examiner fail to disclose, teach, or suggest the elements specifically recited in Applicants' claims. For example, the *Madour I* - *Abrol* combination proposed by the Examiner fails to disclose, teach, or suggest the combination of elements specifically recited in amended independent Claim 1:

determining, at the packet data serving node, whether the registration request comprises a previous access network identifier identifying a previous packet controller function;

determining, at the packet data serving node, whether the mobile node is serviced by a mobile Internet Protocol;

determining, at the packet data serving node, whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node; and

deciding, at the packet data serving node, whether to negotiate a point-to-point session for the mobile node in response to the determinations.

The Examiner relies on *Abrol* to disclose “determining whether the registration request comprises a previous access network identifier identifying a previous packet controller function . . . ; determining whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node; and deciding whether to negotiate a point-to-point session for the mobile node in response to the determinations. (Office Action, Page 3, Para. 5).

Abrol, however, fails to disclose, teach, or suggest that each of these operations is performed at the packet serving data node. In fact, *Abrol* expressly discloses that each of these operations is performed at the mobile node. (*Abrol*, Para. 35-37, Fig. 2, Abstract). Moreover, *Abrol* expressly discloses:

Because no mechanism exists to notify PDSN 140A that MS 103 ventured into the service area of PDSN 140B, PDSN 140A does not renegotiate the PPP session between PDSN 140A and MS 103.

(*Abrol*, Para. 31). That is, *Abrol* expressly discloses that the PDSN is incapable of “determining whether the registration request comprises a previous access network identifier identifying a previous packet controller function . . . ; determining whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node; and deciding whether to negotiate a point-to-point session for the mobile node in response to the determinations.” Consequently, at a minimum, *Abrol* fails to disclose, teach, or suggest the elements specifically recited in amended independent Claim 1 or its dependents. For similar reasons, *Abrol* fails to disclose, teach, or suggest the elements specifically recited in independent Claims 8, 9, 15, 16, 23, 26, 32, 33, 39, 40, and 41 or their respective dependents. Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-41.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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